

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**TERRI PECHNER-JAMES and SONIA FERNANDEZ,** )  
Plaintiffs, )  
v. ) C.A. No. 03-12499-MLW  
)  
**CITY OF REVERE, THOMAS AMBROSINO, )**  
**MAYOR, CITY OF REVERE POLICE )**  
**DEPARTMENT, TERENCE REARDON, )**  
**CHIEF OF POLICE, BERNARD FOSTER, )**  
**SALVATORE SANTORO, ROY COLANNINO,)**  
**FREDERICK ROLAND, THOMAS DOHERTY,)**  
**JOHN NELSON, JAMES RUSSO, MICHAEL )**  
**MURPHY and STEVEN FORD,** )  
Defendants, )

**DEFENDANTS, CITY OF REVERE'S, CITY OF REVERE POLICE  
DEPARTMENT'S, MAYOR THOMAS AMBROSINO'S AND  
POLICE CHIEF TERENCE REARDON'S, OPPOSITION TO  
PLAINTIFFS (sic) REQUEST FOR RECONSIDERATION OF  
ORDER ON MOTION FOR SANCTIONS: DOCKET # 115**

NOW COME Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Police Chief Terence Reardon, and hereby submit their opposition to Plaintiffs' Request for Reconsideration (Docket No. 120).

**The Request is Patently Without Merit**

As an initial matter, these Defendants incorporate herein by reference their Status Conference Report filed on February 28, 2006 (Docket No. 116) and that of the co-defendants filed on March 1, 2006 (Docket No. 117).

Frankly, the Plaintiffs' Request for Reconsideration is so out of touch with reality that these Defendants had initially intended no response. Why bother, especially when it seems obvious that Plaintiffs and their counsel are operating in a parallel universe all

their own? But after the events of the last week and one-half which are detailed in the their Status Report (Docket No. 116), Defendants have felt compelled to at least indicate their opposition in as modest a pleading as possible.

Thus, in a nutshell, Defendants will simply stand on the record of proceedings as speaking for itself and observe that Plaintiffs should consider themselves lucky that their counsel has only been sanctioned a total of \$1,000.00 for conduct that should have rightly resulted in the dismissal of their action. Frankly, if the Court is going to reconsider anything, it should seriously reconsider dismissal of this action or, in the alternative, the imposition of issue and evidentiary sanctions as well as the relief requested by Defendants in their Status Reports (Docket Nos. 116 & 117).

For the Defendants, CITY OF REVERE, CITY OF REVERE POLICE DEPARTMENT, MAYOR THOMAS AMBROSINO and POLICE CHIEF TERENCE REARDON,

By their Attorneys,

/s/ Walter H. Porr, Jr.  
Paul Capizzi, Esq.  
City Solicitor  
BBO#: 646296  
pcapizzi@rvere.org  
Walter H. Porr, Jr., Esq.  
Assistant City Solicitor  
BBO#: 659462  
wporr@revere.org  
City Hall, 281 Broadway  
Revere, MA 02151  
781-286-8166

Dated: March 1, 2006.

**CERTIFICATE OF SERVICE**

I, Walter H. Porr, Jr., Assistant City Solicitor and counsel of record for the Defendants, City of Revere, City of Revere Police Department, Mayor Thomas Ambrosino and Police Chief Terence Reardon, hereby certify that I have electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. I caused to be served upon counsel of record, at the address stated below, via the method indicated, a true copy of same:

James S. Dilday, Esq.  
Carlton J. Dasent, Esq.  
27 School Street, Suite 400  
Boston, MA 02108  
Attorneys for the Plaintiffs  
Via CM/ECF e-mail

Michael J. Akerson, Esq.  
Reardon, Joyce and Akerson, P.C.  
397 Grove Street  
Worcester, MA 01605  
Attorneys for Defendants  
Bernard Foster, Salvatore Santoro,  
Roy Colannino, Frederick Roland,  
Thomas Doherty, John Nelson,  
James Russo, Michael Murphy,  
and Steven Ford  
Via CM/ECF e-mail

/s/ Walter H. Porr, Jr.  
Walter H. Porr, Jr.,

Dated: March 1, 2006